

**UNIVERSITY OF HOUSTON SYSTEM
ADMINISTRATIVE MEMORANDUM**

SECTION: Student Affairs

NUMBER: 05.C.01

AREA: Campus Programs

SUBJECT: Campus Programs For Minors

1. PURPOSE

[Texas Education Code, § 51.976](#) requires individuals who will have contact with minors at certain limited campus programs to receive specific training on preventing sexual abuse and child molestation in order for the campus program to be operated by or on the campus of an institution of higher education. The purpose of this policy is to comply not only with the minimum legal requirements of [Texas Education Code, § 51.976](#), but to also ensure all campus programs for minors are conducted in a manner that is as safe as possible.

2. DEFINITIONS

2.1. Campus Program for Minors. Any program lasting for all or part of ~~two or more days~~four or more days (including, but not limited to, recreational, athletic, or academic programs) conducted by a ~~component~~ university or on the campus of a ~~component~~ university where any individual in attendance is a minor who is not enrolled as a student at a ~~component~~ university.

2.2. Coordinator of Campus Programs for Minors – The individual designated by each ~~component~~ university to monitor compliance with this policy (with the exception of Sections 3.5, 3.7, and 5.3).

2.3. Minor – Any individual who is under 18 years of age.

2.4. Program Operator – The individual who runs, supervises, or operates a specific Campus Program for Minors.

2.5. Sexual Abuse and Child Molestation Training – A training and examination program on sexual abuse and child molestation that is approved by the Texas Department of State Health Services (TDSHS). This may include an approved UH System training or a third party's approved training. For a list of training programs that have been approved by TDSHS, see <http://www.dshs.texas.gov/cpm/forms.shtm?terms=training%20program>.

3. POLICY

- 3.1. Coordinator of Campus Programs for Minors. Each **component**-university shall designate one individual to serve in the role as Coordinator of Campus Programs for Minors who is responsible for ensuring compliance with this policy (with the exception of Sections 3.5, 3.7, and 5.3).
- 3.2. Written Approval for Programs. Prior to any Campus Program for Minors occurring, the Program Operator must obtain written approval from the Coordinator of Campus Programs for Minors who will ensure all documentation required by this policy is completed prior to the program occurring.
- 3.3. Training Requirement. Prior to working or volunteering at a Campus Program for Minors, each individual shall successfully complete (or provide proof that the individual has successfully completed within the previous two years) a Sexual Abuse and Child Molestation Training course approved by TDSHS.
- 3.4. Outside Program Operators. Third parties seeking to conduct a Campus Program for Minors must enter into a contract with the **component**-university before the program occurs and the contract must include the items required by Section 4.2 of this policy.
- 3.5. Component-University Departments Which Require Training for Employees. In addition to those individuals who should receive training under Section 3.3, all employees who are employed by, as well as other employees who are assigned to regularly work in, any of the **component**-university departments/areas having the highest likelihood of contact with minors are required to complete Sexual Abuse and Child Molestation Training at least once every two years. The following department/areas have the highest likelihood of contact with minors:
 - a) Athletics - Additionally, all student-athletes are required to complete Sexual Abuse and Child Molestation Training at least once every two years due to their possible involvement with Campus Programs for Minors.
 - b) Student Affairs and Enrollment Services
 - c) UH Children's Learning Centers
 - d) UH Charter School
 - e) Other areas/departments as determined by the **component**-university

The Department of Human Resources for each **component**-university (and in the case of student-athletes, the Department of Athletics) shall ensure compliance with Section 3.5.

- 3.6. Reporting Suspected Abuse. Any individual who suspects that a Minor’s physical or mental health or welfare has been adversely affected by abuse or neglect by any person shall immediately make a report as provided by Section 5.3 of this policy.
- 3.7. Background Checks. Any individual who has a conviction for a crime(s) related to abuse, neglect, exploitation, assault, sexual offenses, or any offense involving a Minor, is prohibited from working or volunteering at a Campus Program for Minors. Any ~~component~~ university employee or volunteer who has not submitted to a criminal history record investigation pursuant to [SAM 02.A.37](#), must do so prior to working at a Campus Program for Minors. The ~~component~~ university’s human resources director will evaluate any positive criminal history to determine whether the employee is allowed to work at a Campus Program for Minors. Background checks are not conducted on minors or ~~component~~ university students.

4. PROCEDURE

- 4.1. Campus Programs for Minors – Conducted by a ~~Component~~ University. The following items must occur prior to any Campus Program for Minors being conducted by a ~~component~~ university:
- 4.1.1. At least 21 days before the program occurs, the Program Operator will send a spreadsheet to the Coordinator of Campus Programs for Minors that lists the following information for the particular program:
- a) Program name
 - b) Type of program
 - c) Description of the program
 - d) College or department sponsoring the program
 - e) Location of the program
 - f) Dates of the program
 - g) Number of expected participants of the program
 - h) Approximate ages of the participants
 - i) Full names of all individuals who will be working or volunteering at the program, the title of such individuals, and whether such individuals are employed by a ~~component~~ university.
- 4.1.2. Before the program occurs, the Program Operator will ensure that each individual who will be working or volunteering at the program has completed the Sexual Abuse and Child Molestation Training.

- 4.1.3. For programs that host 20 or more minors ~~who are on campus~~ for all or part of four days: the Coordinator of Campus Programs for Minors will, prior to the program occurring, submit ~~to a completed~~ TDSHS ~~a form to~~ the Coordinator of Campus Programs for each program that indicates each individual who will be working or volunteering at the program has completed the Sexual Abuse and Child Molestation Training. The information must be submitted on the verification form approved by TDSHS (the current form can be downloaded at <http://www.dshs.texas.gov/cpm/forms.shtm?terms=training%20program>). After the information is submitted to TDSHS for a particular program, the Coordinator of Campus Programs for Minors will provide written notice to the Program Operator of approval to conduct the program.
- 4.1.4. The Program Operator must obtain prior written approval from the Coordinator of Campus Programs for Minors to conduct the program.
- 4.2. Campus Programs for Minors – Conducted by a Third Party at a ~~Component~~ University. The following items must occur prior to any Campus Program for Minors being conducted by a third party (any vendor or individual not affiliated with a ~~component~~ university) on the grounds of a ~~component~~ university.
 - 4.2.1. The ~~component~~ university must enter into a contract with the third party, which contains, at a minimum, the following terms:
 - a) The third party must, by no later than 15 days before the program, submit to the ~~component~~ university, a form that indicates each individual who will be working or volunteering at the program has completed a Sexual Abuse and Child Molestation Training course that has been approved by TDSHS. The information must be submitted on the verification form approved by TDSHS (the current form can be downloaded at <http://www.dshs.texas.gov/cpm/forms.shtm?terms=training%20program>).
For programs that host 20 or more minors who are on campus for all or part of four days, the form must also be submitted to TDSHS.
 - b) The third party must certify to the ~~component~~ university that no individual who will be working or volunteering at the program has any felony criminal convictions or any conviction for any crime(s) related to abuse, neglect, exploitation, assault, sexual offense, or any offense involving a Minor.
 - c) The third party must agree to indemnify and hold harmless the ~~component~~ university from any and all liability and claims arising from the program.

- d) The third party must agree to maintain insurance acceptable to the **component**-university, including listing the **component**-university as an additional insured and providing a certificate of insurance before the program occurs.

4.2.2. The college or department that facilitates the contract with the third party shall send copies of the executed contract and the verification form to the Coordinator of Campus Programs for Minors prior to the program occurring. A copy of the current form can be found at <http://www.dshs.texas.gov/cpm/forms.shtm?terms=training%20program>.

5.3. Reporting Suspected Child Abuse or Neglect. As required by [Texas Family Code, Chapter 261](#), any person having cause to believe that a child’s physical or mental health or welfare has been adversely affected by abuse or neglect must immediately make a report to:

- a) Any local or state law enforcement agency;
- b) The Texas Department of Family and Protective Services;
- c) The state agency that operates, licenses, certifies, or registers the facility in which the alleged abuse or neglect occurred; or
- d) The agency designated by the court to be responsible for the protection of children.

5.3.1. Immediate Threat to a Minor. Any employee who suspects that an incident of child abuse or neglect has occurred or is likely to occur as a part of a Campus Program for Minors or within the university environment, shall immediately notify their supervisor, the Program Operator and/or the Coordinator for Campus Programs for Minors, so that any immediate response required to assure the safety of minors can be taken. This obligation is in addition to the duty to report suspected child abuse under Texas law and Section 5.3 of this SAM. Any report made under this Section 5.3.1 should also be reported to the campus police department and General Counsel.

5.3.2. If there is no immediate threat to the health or safety of a Minor and the reporter wishes to remain anonymous, the matter should be reported as soon as practicable via the [Fraud & Non-Compliance Hotline](#). This obligation is in addition to the duty to report suspected child abuse under Texas law and Section 5.3 of this SAM.

5.3.3. If the report made under this Section 5.3 relates to alleged misconduct occurring on a **component**-university’s campus, the **component** university’s police department (or in the case of UH –Victoria, the report should be made to the UH Police Department Officer or Victoria Police

Department) shall promptly investigate the matter and/or assist the appropriate agency authorized to investigate the matter.

6. REVIEW AND RESPONSIBILITY

Responsible Party: Vice Chancellor for Student Affairs and Enrollment Services

Associate Vice Chancellor, ~~for~~ Human Resources

Review: Every ~~two years on or before March 1~~ five years

7. APPROVAL

Approved: Joan Nelson
Associate Vice Chancellor, ~~for~~ Human Resources

Dona Cornell
Vice Chancellor for Legal Affairs and General Counsel

Richard Walker
Vice Chancellor for Student Affairs and Enrollment Services

Jim McShan
Senior Vice Chancellor for Administration and Finance

Renu Khator
Chancellor

Date: August 9, 2018

8. REFERENCES

- [SAM 02.A.37 – Background Checks for Employees](#)
- [Form OGC-S-2012-13 Addendum Contract](#)
- [Texas Education Code § 51.976](#)
- [Texas Family Code, Chapter 261](#)
- [Fraud & Non-Compliance Hotline](#)

Sexual Abuse and Child Molestation Verification Form:

<http://www.dshs.texas.gov/cpm/forms.shtm?terms=training%20program>

REVISION LOG

Revision Number	Approval Date	Description of Changes
Interim	05/23/2012	Initial version
1	04/19/2013	This SAM is being submitted for a review and approval cycle to remove Interim designation. Added information to Section 2.1 on campus program lasting for all or part of two or more days. Revised Section 3.3 for training course to be approved by TDSHS. Added volunteers to Section 3.7 requiring background checks, and included information regarding minors and component university students working at a campus program in fulfillment of required class work not being subject to background checks. In Section 4.1.2, revised the requirement from “7 days before” to “before” the campus program occurs for each applicable individual to complete the required training. Added a link to OGC S-2012-13 to Section 4.2.1. Added information regarding the current verification form location in Section 4.2.2. Added OGC S-2012-13 to Section 8, References
2	05/09/2016	Revised Section 3.7 to remove requirement for background checks for component university students. Updated links and responsible party information to current operating requirements
3	10/10/2017	Revised reference in Sections 5.3.2 and 8 from “My Safe Campus” to “Fraud & Non-Compliance Hotline” to reflect current operating requirements. No additional changes were made by the Subject Matter Expert(s)
4	06/12/2018	Updated Section 3.5 to add training requirement for individuals. In Section 4.2.1.a, revised requirement for third party submitting the form by no later than 15 days before the program. Revised Section 5.3.3 for UH Victoria reporting threat to a minor through the UH Police department or the Victoria Police Department. Updated all links as applicable
5	08/09/2018	In compliance with directives from the Texas Department of State Health Services (TDSHS), Section 4.1.3 and Section 4.2.1.a were updated with information about paperwork submittal for programs hosting 20 or more minors who are on campus for all or part of four days. For programs hosting less than 20 minors for less than 4 days, UHS would receive the verification paperwork; for programs hosting 20 or more minors, or hosting minors for more than 4 days, TDSHS receives the verification paperwork